

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STACY LANE VANHORN,)	4:03CV3336
)	
Plaintiff,)	
vs.)	ORDER
)	
NEBRASKA STATE RACING)	
COMMISSION, et al.,)	
)	
Defendants.)	

DOUGLAS L. BRUNK,)	4:03CV3378
)	
Plaintiff,)	
vs.)	ORDER
)	
NEBRASKA STATE RACING)	
COMMISSION, et al.,)	
)	
Defendants.)	

Pursuant to the mandate of the Court of Appeals,

IT IS ORDERED that the defendants' motion for summary judgment (filing 73 in 4:03CV3336) (filing 34 in 4:03cv3378) is granted on the basis of quasi-judicial immunity, and that the plaintiffs' claims against Dennis Oelschlager, Dennis P. Lee, Janell Beveridge, and Bob Volk, in their individual capacities, are dismissed.

The plaintiffs' claims against the Nebraska State Racing Commission having previously been dismissed on the basis of Eleventh Amendment immunity, these consolidated actions shall proceed only against Dennis Oelschlager, Dennis P. Lee,

Janell Beveridge, and Bob Volk, in their official capacities, for declaratory and injunctive relief.

IT IS FURTHER ORDERED that these cases are referred to Magistrate Judge Piester for progression, as appropriate.

September 7, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge